

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRZYSZTOF F. WOLINSKI,

Plaintiff,

v.

GENA JONES, et al.,

Defendants.

No. 2:23-cv-0383 DAD DB P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. §1983. On August 31, 2023, the court denied plaintiff's motion to proceed in forma pauperis and ordered plaintiff to pay the filing fee if he wished to proceed with this case. (ECF No. 23.) Plaintiff appealed that order. On January 19, 2024, the Court of Appeals for the Ninth Circuit dismissed the appeal. (ECF No. 29.) In an order filed February 21, 2024, this court ordered plaintiff to pay the filing fee if he wished to proceed with this case. (ECF No. 30.) Plaintiff was warned that if he failed to pay the filing fee within thirty days, this court would recommend dismissal of this action.

Over thirty days have passed and plaintiff has not paid the filing fee or otherwise responded to the court's order.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for plaintiff's failure to pay the filing fee and failure to comply with court orders.

1 These findings and recommendations will be submitted to the United States District Judge
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
3 after being served with these findings and recommendations, plaintiff may file written objections
4 with the court. The document should be captioned “Objections to Magistrate Judge's Findings
5 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
6 time may result in waiver of the right to appeal the district court’s order. Martinez v. Ylst, 951
7 F.2d 1153 (9th Cir. 1991).

8 Dated: April 3, 2024

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12 DEBORAH BARNES
13 UNITED STATES MAGISTRATE JUDGE
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